# UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION

AMERICAN PETROLEUM INSTITUTE, et

al.,

Plaintiffs, Civ. No.: 2:21-cv-02506-TAD-KK

ν.

Judge: Terry A. Doughty

U.S. DEPARTMENT OF THE INTERIOR,

et al.,

Mag. Judge: Kathleen Kay

Defendants,

and

HEALTHY GULF, et al.,

 ${\it Applicant-Intervenor-Defendants}.$ 

 $\frac{\textbf{NOTICE OF APPEAL BY CONSERVATION GROUP APPLICANTS FOR}}{\textbf{INTERVENTION}}$ 

Pursuant to Federal Rule of Appellate Procedure 4(a)(1)(B), the conservation group applicants for intervention (collectively, the Conservation Groups)<sup>1</sup> give notice that they appeal to the United States Court of Appeals for the Fifth Circuit the Court's June 2, 2022 Memorandum Order [Doc. No. 92] affirming the Magistrate Judge's April 29, 2022 denial of the Conservation Groups' motion to intervene [Doc. No. 88]. The June 2, 2022 Order, and the Magistrate's denial, are attached as Exhibits A and B, respectively.

Respectfully submitted this 10th day of June, 2022.

#### /s/ Corinne Van Dalen

Corinne Van Dalen (LA Bar # 21175) Earthjustice 900 Camp Street, Unit 303 New Orleans, LA 701 T: 415-283-2335 F: 415-217-2040 cvandalen@earthjustice.org

#### /s/ Christopher Eaton

Christopher Eaton (*pro hac vice*)
WDLA Bar # 916931
Shana E. Emile (*pro hac vice*)
WDLA Bar # 916926
Earthjustice
810 Third Avenue, Suite 610
Seattle, WA 98104
T: 206-343-7340 F: 415-217-2040
ceaton@earthjustice.org
semile@earthjustice.org

#### /s/ Thomas Delehanty

Thomas R. Delehanty (pro hac vice) WDLA Bar # 916925 Michael S. Freeman (pro hac vice)

## /s/ Emily H. Posner

Emily Posner (LA Bar # 35284) 7214 St. Charles Ave., Campus Box 913 New Orleans, LA 70118 T: 225-746-8820 ep@emilyposnerlaw.com

#### /s/ Kyle Tisdel

Kyle Tisdel (*pro hac vice*) Western Environmental Law Center 208 Paseo del Pueblo Sur #602 Taos, NM 87571 T: 575-751-0351 tisdel@westernlaw.org

### s/ Melissa Hornbein

Melissa Hornbein (pro hac vice)
Western Environmental Law Center
103 Reeder's Alley
Helena, MT 59601
T: 406-443-3508
hornbein@westernlaw.org

<sup>&</sup>lt;sup>1</sup> The Conservation Group applicants are Healthy Gulf, Center for Biological Diversity, Citizens for a Healthy Community, Cook Inletkeeper, Defenders of Wildlife, Food & Water Watch, Friends of the Earth, Great Old Broads for Wilderness, Montana Environmental Information Center, Oceana, Sierra Club, The Wilderness Society, Valley Organic Growers Association, Western Organization of Resource Councils, Western Watersheds Project, and WildEarth Guardians.

WDLA Bar # 916928
Earthjustice
633 17th St., Suite 1600
Denver, CO 80202
T: 303-623-9466 F: 720-550-5757
tdelehanty@earthjustice.org
mfreeman@earthjustice.org

Counsel for Intervenor-Defendants Healthy Gulf, Cook Inletkeeper, Defenders of Wildlife, Friends of the Earth, Great Old Broads for Wilderness, Oceana, Sierra Club, The Wilderness Society, Valley Organic Growers Association, and Western Watersheds Project Counsel for Intervenor-Defendants Center for Biological Diversity, Citizens for a Healthy Community, Food & Water Watch, Montana Environmental Information Center, WildEarth Guardians, and Western Organization of Resource Councils